

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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8 VINCENT F. RIVERA, )  
9 Plaintiff(s), ) 2:06-cv-0873-RLH-LRL  
10 vs. )  
11 KENNY QUINN, *et al.*, )  
12 Defendant(s). )

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14 Before the Court is Plaintiff's Motion to reopen the Case (#9, filed March 19, 2006).

15 There is no evidence of service on the named Defendants, although that is of little moment.

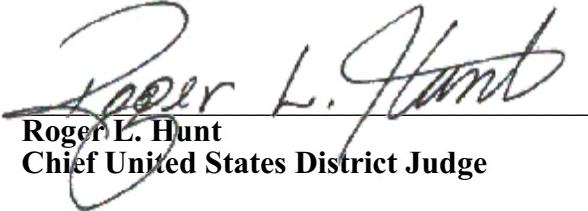
16 On July 14, 2006, Plaintiff filed a Complaint and motion for leave to proceed in  
17 forma pauperis. On July 27, 2006, the Court dismissed the Complaint on the grounds that he cannot  
18 proceed *in formal pauperis* in this action because he has had three or more prior actions dismissed  
19 for failure to state a claim upon which relief can be granted, or as frivolous or malicious, pursuant to  
20 28 U.S.C. § 1915(g). On August 17, 2006, Plaintiff filed a Notice of Appeal. His appeal was  
21 dismissed by the Ninth Circuit Court of Appeals for failure to file the fee. The mandate dismissing  
22 the appeal was spread on the record (#8) on January 10, 2007.

23 Plaintiff now brings this motion, still without filing the fee, making allegations  
24 against the Florida Department of Corrections, and claiming the order of dismissal is “actually a  
25 product of “judicial propaganda and promotes hypocrisy.” The Plaintiff’s appeal of the Order of  
26 Dismissal has itself been dismissed. This matter is closed and the present motion provides no

1 grounds for reopening it.

2 IT IS THEREFORE ORDERED that Plaintiff's Motion to reopen the Case (#9) is  
3 DENIED.

4 Dated: June 8, 2007.

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6 **Roger L. Hunt**  
7 Chief United States District Judge

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